

03500.014659.1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: D. Bollinger
NAOJI OTSUKA)	
	:	Art Unit: 3653
Application No.: 10/733,360)	
	:	U.S. Patent No. 6,978,992
Filed: December 12, 2003)	
	:	
For: PRINTING APPARATUS AND)	
PRINTING METHOD	:	May 5, 2007

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicant requests a refund of \$150.00 for a fee for claims in excess of 20, which was erroneously charged to our Deposit Account 06-1205. It is requested that the refund be applied as a credit to that Deposit Account. The reason for the refund is explained below.

On July 7, 2005, Applicant filed an Amendment After Final Rejection with Transmittal. A copy of these documents are attached. While the Transmittal noted that "No additional fee is required", it also incorrectly indicated that 3 additional claims were to be paid for. It is respectfully submitted that the fee for \$150.00 was previously paid with the Amendment filed January 6, 2005 and that no additional claims fees were due with the July 7, 2005 amendment.

The Patent Office's Monthly Statement of Deposit Account, dated July 2005 (copy attached), indicates that Deposit Account No. 06-1205 was charged the fee of \$150.00. Therefore, Applicant respectfully submits that a refund of \$150.00 is due.

Accordingly, Applicant hereby requests a refund and authorizes the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$150.00, to resolve this matter.

Applicant's undersigned attorney may be reached in our New York office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Mark A. Williamson/

Mark A. Williamson
Attorney for Applicants
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 518570v1

Expedited Procedure
Amendment Under 37 C.F.R. § 1.116
Group Art Unit 3653

In re Application of:

Docket No.: 03500.014659.1

NAOJI OTSUKA

Application No.: 10/733,360

Examiner: D. Bollinger

Filed: December 12, 2003

Group Art Unit: 3653

For: PRINTING APPARATUS AND PRINTING
METHOD

Date: July 7, 2005

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment After Final Rejection in the above-identified application.

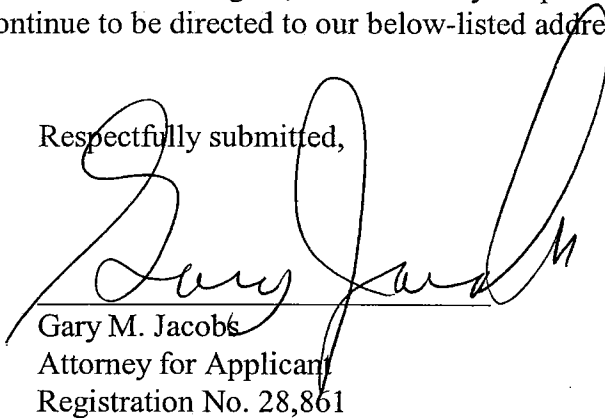
☒ No additional fee is required.

The fee has been calculated as shown below

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	23	MINUS	20	= 3	x \$25 \$50	\$150.00
INDEP. CLAIMS	9	MINUS	9	= 0	x \$100 \$200	\$ 0.00
Fee for Multiple Dependent claims \$180°/\$360						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---						\$150.00

- ☐ °Verified Statement claiming small entity status is enclosed, if not filed previously.
- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Charge \$____ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.
- ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
- ☐ A check in the amount of \$____ to cover the fee for a _____ month extension is enclosed.
- ☐ A check in the amount of \$____ to cover the Information Disclosure Statement fee is enclosed.
- ☒ Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Gary M. Jacobs
Attorney for Applicant
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
MAW/GMJ:ayr

DC_MAIN 208641v1

Expedited Procedure
Amendment Under 37 C.F.R. § 1.116
Group Art Unit 3653

03500.014659.1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: D. Bollinger
NAOJI OTSUKA)	
	:	Group Art Unit: 3653
Appln. No.: 10/733,360)	
	:	
Filed: December 12, 2003)	
	:	
For: PRINTING APPARATUS AND)	
PRINTING METHOD	:	July 7, 2005

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL REJECTION

Sir:

Introductory Comments

In response to the Official Action mailed April 7, 2005, the Examiner is requested to amend the above-identified application as follows.

Amendments to the Claims

Please amend Claims 11, 14, 15, 17, 19, 21-23, 25, 27, 29-31 and 33 to read as follows.

Claims 1-10 (Cancelled)

11. (Currently Amended) An ink jet printing apparatus for printing on a printing medium with a printing head for ejecting ink, said apparatus comprising:

feeding means for feeding the printing medium toward the printing head;

conveying means for conveying intermittently the printing medium fed by said feeding means to a position opposite to the printing head;

scanning means for scanning the printing head in a scanning direction different from a feeding conveying direction of the printing medium fed conveyed by said feeding conveying means;

detection means for detecting an edge of the printing medium fed by said feeding means; and

control means for controlling the driving of said feeding means so as to (1) cause said feeding means to initiate the feeding of a succeeding printing medium after said feeding means initiates the feeding of a preceding printing medium and before said detection means detects a trailing edge of the preceding printing medium and (2) cause a leading edge of the succeeding printing medium to arrive at said detection means after said detection means detects the trailing edge of the preceding printing medium.

12. (Previously Presented) An ink jet printing apparatus according to claim 11, wherein on the basis of information specifying the length in the feeding direction of the preceding printing medium, said feeding means initiates the feeding of the succeeding printing medium.

13. (Previously Presented) An ink jet printing apparatus according to claim 11, wherein feeding control by said control means is executed when determined that the feeding of the succeeding printing medium is necessary during printing on the preceding printing medium.

14. (Currently Amended) An ink jet printing method for printing on a printing medium by scanning a printing head for ejecting ink, said method comprising the steps of:

feeding a printing medium toward the printing head;

conveying intermittently the printing medium fed in said feeding step to a position opposite to the printing head;

scanning the printing head in a scanning direction different from a feeding conveying direction of the printing medium conveyed in said conveying step;

initiating the feeding of a succeeding printing medium toward the printing head after the feeding of a preceding printing medium is initiated and before a trailing edge of the preceding printing medium is detected at a predetermined position; and

feeding the succeeding printing medium so that a leading edge of the succeeding printing medium arrives at the predetermined position after the trailing edge of the preceding printing medium is detected at the predetermined position.

15. (Currently Amended) An ink jet printing apparatus for printing on a printing medium with a printing head for ejecting ink, said apparatus comprising:

feeding means for feeding the printing medium toward the printing head;

conveying means for conveying intermittently the printing medium fed by said

feeding means to a position opposite to the printing head;

scanning means for scanning the printing head in a scanning direction different from a ~~feeding~~ conveying direction of the printing medium ~~fed~~ conveyed by said ~~feeding~~ conveying means;

detection means for detecting an edge of the printing medium fed by said feeding means; and

control means for controlling the driving of said feeding means so as to cause said feeding means to initiate the feeding of a succeeding printing medium after said feeding means initiates the feeding of a preceding printing medium and before said detection means detects a trailing edge of the preceding printing medium,

wherein said control means causes said feeding means to initiate the feeding of the succeeding printing medium on the basis of information specifying the length in the feeding direction of the preceding printing medium.

16. (Previously Presented) An ink jet printing apparatus according to claim 15, wherein feeding control by said control means is executed when determined that the feeding of the succeeding printing medium is necessary during printing on the preceding printing medium.

17. (Currently Amended) An ink jet printing apparatus for printing on a printing medium with a printing head for ejecting ink, said apparatus comprising:

feeding means for feeding the printing medium toward the printing head;

conveying means for conveying intermittently the printing medium fed by said feeding means to a position opposite to the printing head;

scanning means for scanning the printing head in a scanning direction different from a ~~feeding~~ conveying direction of the printing medium ~~fed~~ conveyed by said ~~feeding~~ conveying means;

detection means for detecting an edge of the printing medium fed by said feeding means; and

control means that (1) causes said feeding means to initiate the feeding of a succeeding printing medium on the basis of information specifying the length in the feeding direction of a preceding printing medium, after said feeding means initiates the feeding of the preceding printing medium and before said detection means detects a trailing edge of the preceding printing medium, and (2) thereby causes a leading edge of the succeeding printing medium to arrive at said detection means after said detection means detects the trailing edge of the preceding printing medium.

18. (Previously Presented) An ink jet printing apparatus according to claim 17, wherein feeding control by said control means is executed when determined that the feeding of the succeeding printing medium is necessary during printing on the preceding printing medium.

19. (Currently Amended) A method of feeding a printing medium in an ink jet printing apparatus for printing on the printing medium with a printing head for ejecting ink, said method comprising the steps of:

feeding the printing medium toward the printing head;

conveying intermittently the printing medium fed in said feeding step to a position opposite to the printing head;

scanning the printing head in a scanning direction different from a feeding conveying direction of the printing medium conveyed in said conveying step;

detecting an edge of the printing medium fed in said feeding step by edge detection means at a predetermined position; and

controlling a feeding operation in said feeding step so as to (1) cause initiation of the feeding of a succeeding printing medium after the feeding of a preceding printing medium is initiated in said feeding step and before a trailing edge of the preceding printing medium is detected at the predetermined position and (2) cause a leading edge of the succeeding printing medium to arrive at the predetermined position after the trailing edge of the preceding printing medium is detected at the predetermined position.

20. (Previously Presented) A method according to claim 19, wherein based on information specifying the length in the feeding direction of the preceding printing medium, the feeding of the succeeding printing medium is initiated.

21. (Currently Amended) A method of feeding a printing medium in an ink jet printing apparatus for printing on the printing medium with a printing head for ejecting ink, said method comprising the steps of:

feeding the printing medium toward the printing head;

conveying intermittently the printing medium fed in said feeding step to a position opposite to the printing head;

scanning the printing head in a scanning direction different from a feeding conveying direction of the printing medium conveyed in said conveying step;

detecting an edge of the printing medium fed in said feeding step at a predetermined position; and

controlling the feeding operation in said feeding step so as to initiate the feeding of a succeeding printing medium after the feeding of a preceding printing medium is initiated in said feeding step and before a trailing edge of the preceding printing medium is detected at the predetermined position,

wherein in said controlling step the feeding of the succeeding printing medium is initiated on the basis of information capable of specifying the length in the feeding direction of the preceding printing medium.

22. (Currently Amended) A method of feeding a printing medium in an ink jet printing apparatus for printing on the printing medium with a printing head for ejecting ink, said method comprising the steps of:

feeding the printing medium toward the printing head;

conveying intermittently the printing medium fed in said feeding step to a position opposite to the printing head;

scanning the printing head in a scanning direction different from a feeding conveying direction of the printing medium conveyed in said conveying step;

detecting an edge of the printing medium fed in said feeding step at a predetermined position; and

executing control so as to (1) initiate the feeding of a succeeding printing medium in said feeding step based on information specifying the length in the feeding direction of a preceding printing medium, after the feeding of the preceding printing medium is initiated in said feeding step and before a trailing edge of the preceding printing medium is detected at the predetermined position, and (2) thereby cause a leading edge of the succeeding printing medium to arrive at the predetermined position after the trailing edge of the preceding printing medium is detected at the predetermined position.

23. (Currently Amended) An ink jet printing apparatus for printing on a printing medium with a printing head for ejecting ink, said apparatus comprising:

feeding means for feeding the printing medium toward the printing head;

conveying means for conveying intermittently the printing medium fed by said feeding means to a position opposite to the printing head;

scanning means for scanning the printing head in a scanning direction different from a ~~feeding~~ conveying direction of the printing medium ~~fed~~ conveyed by said ~~feeding~~ conveying means;

detection means for detecting an edge of the printing medium fed by said feeding means; and

control means for controlling the driving of said feeding means so as to cause said feeding means to initiate the feeding of a succeeding printing medium after said feeding means initiates the feeding of a preceding printing medium and before said detection means detects a trailing edge of the preceding printing medium.

24. (Previously Presented) An ink jet printing apparatus according to claim 23, wherein feeding control by said control means is executed when determined that the feeding of the succeeding printing medium is necessary during printing on the preceding printing medium.

25. (Currently Amended) A method of feeding a printing medium in an ink jet printing apparatus for printing on the printing medium with a printing head for ejecting ink, said method comprising the steps of:

feeding the printing medium toward the printing head;

conveying intermittently the printing medium fed in said feeding step to a position opposite to the printing head;

scanning the printing head in a scanning direction different from a feeding conveying direction of the printing medium conveyed in said conveying step;

detecting an edge of the printing medium fed in said feeding step by edge detection means; and

controlling the feeding operation in said feeding step so as to initiate the feeding of a succeeding printing medium after the feeding of a preceding printing medium is initiated in said feeding step and before the edge detection means detects a trailing edge of the preceding printing medium.

26. (Previously Presented) An inkjet printing apparatus according to claim 11, wherein said feeding means comprises a feed roller for feeding the printing medium from a printing medium storing unit, and said detection means comprises a single unit set between said feed roller and the printing head along a conveyance path of the printing medium.

27. (Currently Amended) An ink jet printing apparatus according to claim 11, wherein said control means determines whether the leading edge of the succeeding printing medium has been ~~conveyed~~ fed to arrive at a predetermined position upstream of said detection means along a conveyance path, wherein when the leading edge of the succeeding printing medium has been ~~conveyed~~ fed to arrive at the predetermined position, said control means determines whether the trailing edge of the preceding printing medium

has passed said detection means, and wherein when the trailing edge of the preceding printing medium has not passed said detection means, said control means interrupts the feeding of the succeeding printing medium.

28. (Previously Presented) An inkjet printing apparatus according to claim 15, wherein said feeding means comprises a feed roller for feeding the printing medium from a printing medium storing unit, and said detection means comprises a single unit set between said feed roller and the printing head along a conveyance path of the printing medium.

29. (Currently Amended) An ink jet printing apparatus according to claim 15, wherein said control means comprises calculation means for calculating a position of the trailing edge of the preceding printing medium on the basis of the information specifying the length and information on a conveyance amount that the preceding printing medium has been conveyed by said conveying means after a leading edge of the preceding printing medium passed said detection means, and causes said feeding means to initiate the feeding of the succeeding printing medium based on a result of the calculation by said calculation means.

30. (Currently Amended) An ink jet printing apparatus according to claim 15, wherein said control means determines whether a leading edge of the succeeding printing medium has been ~~conveyed~~ fed to arrive at a predetermined position upstream of said detection means along a conveyance path, wherein when the leading edge of the

succeeding printing medium has been ~~conveyed~~ fed to arrive at the predetermined position, said control means determines whether the trailing edge of the preceding printing medium has passed said detection means, and wherein when the trailing edge of the preceding printing medium has not passed said detection means, said control means interrupts the feeding of the succeeding printing medium.

31. (Currently Amended) An ink jet printing apparatus according to claim 17, wherein said control means comprises calculation means for calculating a position of the trailing edge of the preceding printing medium on the basis of the information specifying the length and information on a conveyance amount that the preceding printing medium has been conveyed by said conveying means after a leading edge of the preceding printing medium passed said detection means, and causes said feeding means to initiate the feeding of the succeeding printing medium based on a result of the calculation by said calculation means.

32. (Previously Presented) An inkjet printing apparatus according to claim 23, wherein said feeding means comprises a feed roller for feeding the printing medium from a printing medium storing unit, and said detection means comprises a single unit set between said feed roller and the printing head along a conveyance path of the printing medium.

33. (Currently Amended) An ink jet printing apparatus according to claim 23, wherein said control means determines whether a leading edge of the succeeding printing

medium has been ~~conveyed~~ fed to arrive at a predetermined position upstream of said detection means along a conveyance path, wherein when the leading edge of the succeeding printing medium has been ~~conveyed~~ fed to arrive at the predetermined position, said control means determines whether the trailing edge of the preceding printing medium has passed said detection means, and wherein when the trailing edge of the preceding printing medium has not passed said detection means, said control means interrupts the feeding of the succeeding printing medium.

Remarks

Reconsideration and withdrawal of the double patenting rejection set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 11-33 are now pending in the application, with Claims 11, 14, 15, 17, 19, 21-23 and 25 being independent. Claims 11, 14, 15, 17, 19, 21-23, and 25 have been amended more clearly to recite the novel features of the present invention. Claims 27, 29-31 and 33 have been amended for reasons unrelated to patentability to improve their form. Support for the amendments can be found at least in Figures 1, 2, and 5 and the corresponding discussion in the specification concerning the controller 9 and the feed roller 31 shown therein.

Applicant notes with appreciation the indication that Claims 13, 16, 18, 24, and 26 through 33 recite allowable subject matter. These claims were objected to for being dependent upon rejected base claims. However, these claims will not be rewritten in independent form at this time because their respective independent claims are believed to be allowable for the reasons discussed below.

Claims 11, 12, 14, 15, 17, 19-23 and 25 were rejected for obviousness-type double patenting as being unpatentable over Claims 1, 2, and 10-18 of U.S. Patent No. 6,702,274 in view of U.S. Patent No. 5,223,858 (Yokoi et al.). This rejection is respectfully traversed.

As implicitly recognized by the Office Action, the claims of the '274 patent do not recite ink jet printing, as is recited in each of the pending claims. Further, the patented

claims are not understood to recite the more detailed features of 1) conveying intermittently the printing medium fed by the feeding means or step to a position opposite to the printing head, and 2) scanning the print head in a scanning direction different from a conveying direction of the printing medium. To cure these deficiencies, the Examiner relies on the patent to Yokoi et al. for teaching a serial-type ink jet printing apparatus. But to establish a prima facie case of obviousness, MPEP § 2142 requires more than merely citing a second reference that contains claimed features missing from a first reference. MPEP § 2142 requires that there “be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings”.¹ More specifically, MPEP § 2142 requires that:

To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references."

But here, the Office Action does not allege that the Yokoi et al. patent, or the '274 patent suggests modifying the printing apparatus described in the patented claims of the '274 patent to produce a serial-type ink jet apparatus. Nor does the Office Action provide a

¹The requirements for establishing a prima facie case of obviousness of MPEP § 2142 are understood to apply to obviousness-type double patenting rejections, since according to MPEP § 804, a “double patenting rejection of the obviousness-type is ‘analogous to [a failure to meet] the nonobviousness requirement of 35 U.S.C. 103’ ..., ” and therefore “....any analysis employed in an obviousness-type double patenting rejection parallels the guidelines for analysis of a 35 U.S.C. 103 obviousness determination”.

detailed line of reasoning as to why to skilled artisan would modify the invention described in the patented claims to produce a serial-type ink jet printer. As a result, the Office Action does not address the fact that serial-type printing apparatuses are not necessarily interchangeable with other kinds of printing apparatuses because they feed recording media intermittently, requiring a different kind of medium-feeding operation than other types of recording apparatus, as discussed in Applicant's original specification at page 7, lines 1-13. Rather, pages 2 and 3 of the Office Action merely appear to argue that because the references can be combined, since they are both in the general field of printing-head printing apparatus, they should be combined:

It is the examiner's position that both the 6,702,274 B1 patent and Yokoi et al are directed to printing apparatus employing print heads Since both patents are directed to printing apparatus and both employ printing heads it would have been obvious to one of ordinary skill in the art to look to Yokoi et al for the teaching of an ink jet *print head*, therefore; the references are properly combinable. (emphasis in the original)

But this kind of reasoning to establish a prima facie case of obviousness is prohibited under MPEP § 2143.01, which states that the “. . . mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination”.

Since the Office Action is understood to have failed to cite prior art suggesting the desirability of modifying the claims of the '274 patent to produce the invention of Applicant's independent claims, the Patent Office is not understood to have established a prima facie case of obviousness-type double patenting against independent Claims 11, 14,

15, 17, 19, 21-23 and 25. For this reason, Applicant respectfully requests that the rejection of Claims 11, 14, 15, 17, 19, 21-23 and 25 be withdrawn.

MPEP § 2142 further requires that to establish a prima facie case of obviousness, there be a reasonable expectation of success when modifying the art to produce the claimed invention. But, here, the Office Action has provided no evidence that the printing apparatus of the claims of the '274 patent could be successfully transformed by one of ordinary skill in the art into a serial-type ink jet printing apparatus—a completely different kind of printing apparatus—based on the teachings of the Yokoi et al. patent. Absent such evidence, the Patent Office is not understood to have established a reasonable expectation of success in modifying the claimed invention of the '274 patent to produce the invention of Applicant's independent claims, as also required by MPEP § 2142. For this additional reason, the Patent Office is not understood to have established a prima facie case of obviousness against amended independent 11, 14, 15, 17, 19, 21-23 and 25.

Accordingly, Applicant respectfully requests that the rejection of Claims 11, 14, 15, 17, 19, 21-23 and 25 be withdrawn for this additional reason.

For the foregoing reasons, Applicant respectfully submits that the present invention is patentably defined by independent Claims 11, 14, 15, 17, 19, 21-23 and 25. Dependent Claims 12, 15, and 20 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

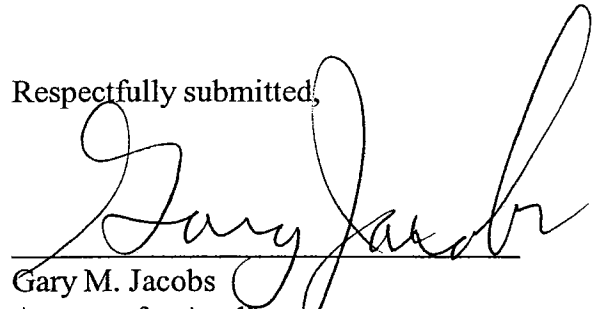
This Amendment After Final Rejection does not raise new issues, is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly

place this application in condition for allowance. This Amendment was not earlier presented because Applicant earnestly believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of this Amendment under 37 CFR 1.116 is respectfully requested.

In view of the above amendments and remarks, Applicant submits that the present application is in condition for allowance. Therefore, favorable reconsideration, withdrawal of the rejection set forth in the above-noted Office Action, and an early issuance of a Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gary M. Jacobs", is written over a horizontal line.

Gary M. Jacobs
Attorney for Applicant
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
MAW/GMJ:ayr

DC_MAIN 208642v1

Deposit Account Statement

Page 4 of 4

07/26	120	0010954612	03129.000200.6	8014	\$25.00	\$22,644.00
07/26	121	0010954612	03129.000200.6	8023	\$40.00	\$22,604.00
07/26	240	78677550	02432.008005	7001	\$325.00	\$22,279.00
07/26	384	78677650	02432.008005	7001	\$325.00	\$21,954.00
07/26	1015	78678054	02432.008005	7001	\$325.00	\$21,629.00
07/26	1610	78678380	03305.010854 TJK	7001	\$1,625.00	\$20,004.00
07/27	10	PCT/US05/25771	01997.030600	8007	\$20.00	\$19,984.00
07/27	49	11188297	03137.000201.2	1201	\$2,440.00	\$17,544.00
07/27	51	11188297	03137.000201.2	1203	\$360.00	\$17,184.00
07/27	52	11188297	03137.000201.2	1081	\$250.00	\$16,934.00
07/27	379	78678813	02562.800 NS	7001	\$650.00	\$16,284.00
07/27	929	76384863	0648B.00T103.	7004	\$300.00	\$15,984.00
07/27	1321	78679273	03057.000013.	7001	\$325.00	\$15,659.00
07/27	1747	78214535	945.10483 TJK.	7003	\$200.00	\$15,459.00
07/28	15	09954069	35.G2898	1252	\$450.00	\$15,009.00
07/28	511	78679871	03057.000014.	7001	\$325.00	\$14,684.00
07/29	1	10153605	03560.003060	1201	\$200.00	\$14,484.00
07/29	1	10942890	03500.015997.1	1201	\$1,000.00	\$13,484.00
07/29	2	10153605	03560.003060	1202	\$50.00	\$13,434.00
07/29	143	11190918	MT IN VIKI SYSTEY	9204	-\$50.00	\$13,484.00

START
BALANCE
\$22,455.00

SUM OF
CHARGES
\$34,052.00

SUM OF
REPLENISH
\$25,081.00

END
BALANCE
\$13,484.00



**United States
Patent and
Trademark Office**

Deposit Account Statement

Requested Statement Month: July 2005
 Deposit Account Number: 061205
 Name: FITZPATRICK CELLA HARPER & SCINTO
 Attention:
 Address: 30 ROCKEFELLER PLAZA
 City: NEW YORK
 State: NY
 Zip: 10112-3801
 Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
07/01	9	10136353	03500.016401	1811	\$100.00	\$22,355.00
07/01	12	09966251	00684.003258	9204	-\$1,715.00	\$24,070.00
07/01	180	78661837	03403.008000	7001	\$325.00	\$23,745.00
07/01	1220	78662423	01722.T50	7001	\$325.00	\$23,420.00
07/05	2	10824513	00862.023535	1201	\$200.00	\$23,220.00
07/05	21	10524373	02280.003420	9204	-\$500.00	\$23,720.00
07/05	22	10524373	" "	1642	\$400.00	\$23,320.00
07/05	56	11144743	03500.109613	1081	\$250.00	\$23,070.00
07/05	60	10522947	03500.017493	9204	-\$500.00	\$23,570.00
07/05	61	10522947	" "	1642	\$400.00	\$23,170.00
07/05	1209	76568727	946.2101(946.10594)	7004	\$150.00	\$23,020.00
07/06	4	11144728	03137.000228	1081	\$250.00	\$22,770.00
07/06	85	09941595	03500.015726	1201	\$400.00	\$22,370.00
07/06	301	11171234	03500.119791	1202	\$2,850.00	\$19,520.00
07/06	302	11171234	03500.119791	1203	\$360.00	\$19,160.00
07/06	1225	78664292	946.10834(946.2101)	7001	\$325.00	\$18,835.00
07/07	7	10529891	00684.003654	9204	-\$100.00	\$18,935.00
07/07	9	10529891	" "	9204	-\$400.00	\$19,335.00
07/07	10	11172662	03500.017803	1201	\$100.00	\$19,235.00
07/07	41	10363731	03069.008100	9204	-\$8.00	\$19,243.00
07/07	52	10098545	03500.016292	1201	\$800.00	\$18,443.00
07/07	53	10098545	03500.016292	1202	\$850.00	\$17,593.00
07/07	1526	76345005	946.9139A	7004	\$150.00	\$17,443.00
07/08	1	09840894	862.C2210	1252	\$450.00	\$16,993.00
07/08	9	09386331	862.2999	1252	\$330.00	\$16,663.00
07/08	20	60692295	01997.031300.P2	1085	\$250.00	\$16,413.00
07/11	29	10307945	00684.003416	1463	\$70.00	\$16,343.00

07/11 51	10519807	00005.001253.	9204	-\$100.00	\$16,443.00
07/11 79	10733360	03500.014659.1	1202	\$150.00	\$16,293.00
07/11 1405	78393868	03285.000051.US	7003	\$100.00	\$16,193.00
07/12 1	10639446	02375.002040	1201	\$400.00	\$15,793.00
07/12 51	11141383	03500.016536.1	1081	\$250.00	\$15,543.00
07/12 92	09332046	2495.2	1252	\$450.00	\$15,093.00
07/12 220	09323020	862.2851	1464	\$130.00	\$14,963.00
07/12 221	09323020	862.2851	1801	\$790.00	\$14,173.00
07/12 1566	76499167	01356.008210	7004	\$300.00	\$13,873.00
07/12 1636	78668396	01436.008047	7001	\$325.00	\$13,548.00
07/13 4	10136353	03500.016401	1811	\$100.00	\$13,448.00
07/13 7	10649645	00862.023197	1464	\$130.00	\$13,318.00
07/13 8	10649645	00862.023197	1801	\$790.00	\$12,528.00
07/13 396	78668680	00945.09098A	7001	\$325.00	\$12,203.00
07/13 406	78668684	00945.010849.	7001	\$325.00	\$11,878.00
07/13 424	78668691	00945.010843	7001	\$325.00	\$11,553.00
07/13 1031	78669004	03022.T9	7001	\$325.00	\$11,228.00
07/13 1349	76533970	3134.10535	7004	\$150.00	\$11,078.00
07/13 1474	76484186	946.10467	7004	\$150.00	\$10,928.00
07/14 1	10702474	0648A.00M147	1201	\$200.00	\$10,728.00
07/14 2	6712464	03500.014402	1464	\$30.00	\$10,698.00
07/14 10	10983981	01997.037000.	1051	\$130.00	\$10,568.00
07/14 11	10983981	01997.037000.	1251	\$120.00	\$10,448.00
07/14 25	11145976	03500.103874	1202	\$100.00	\$10,348.00
07/14 80	10923870	02280.003460	8021	\$40.00	\$10,308.00
07/14 90	29217856	00946.006047	9204	-\$80.00	\$10,388.00
07/14 201	76454769	946.10367	7003	\$100.00	\$10,288.00
07/15 57	09907991	J-3037B	1252	\$450.00	\$9,838.00
07/15 148	11180522	03500.015830.1	9204	-\$360.00	\$10,198.00
07/15 377	76401567	0648B.00T104.	7004	\$300.00	\$9,898.00
07/15 437	2542249	02794.008000	8521	\$40.00	\$9,858.00
07/18 15	11154680	01807.001255.1	1081	\$500.00	\$9,358.00
07/18 28	11128345	02910.000029.1	1201	\$12.00	\$9,346.00
07/18 30	11128345	02910.000029.1	1202	\$600.00	\$8,746.00
07/18 246	10833997	02911.000000	8021	\$40.00	\$8,706.00
07/18 247	10023748	02911.000000	8021	\$40.00	\$8,666.00
07/18 248	60490136	02911.000000	8021	\$40.00	\$8,626.00
07/18 249	60554621	02911.000000	8021	\$40.00	\$8,586.00
07/18 250	60520182	02911.000000	8021	\$40.00	\$8,546.00
07/18 251	60536526	02911.000000	8021	\$40.00	\$8,506.00
07/18 252	60536527	02911.000000	8021	\$40.00	\$8,466.00
07/18 253	10819764	02911.000000	8021	\$40.00	\$8,426.00
07/18 254	09423715	02911.000000	8021	\$40.00	\$8,386.00
07/18 255	4889236	02911.000000	8021	\$40.00	\$8,346.00
07/18 256	4962098	02911.000000	8021	\$40.00	\$8,306.00
07/18 257	5010070	02911.000000	8021	\$40.00	\$8,266.00
07/18 258	5208225	02911.000000	8021	\$40.00	\$8,226.00
07/18 259	5552394	02911.000000	8021	\$40.00	\$8,186.00

Handwritten signature: [Signature]
Handwritten text: Parko
Handwritten initials: PR

Deposit Account Statement

Page 3 of 4

07/18 425 29188360	00946.006032	8021	\$40.00	\$8,146.00
07/18 1957 76573392	946.10613 (3134.10613)	7004	\$150.00	\$7,996.00
07/19 3 09902719	35.C15567	1251	\$120.00	\$7,876.00
07/19 13 11148280	00005.001196.1	1081	\$250.00	\$7,626.00
07/19 22 76977501	NOT IN DRUG SYSTEM	6001	\$375.00	\$7,251.00
07/19 110 10930819	01907.00140.	8021	\$40.00	\$7,211.00
07/20 8 11138567	00862.022863.1	9204	-\$100.00	\$7,311.00
07/20 9 REPLENISHMENT		9204	-\$20,000.00	\$27,311.00
07/20 11 10340624	00684.002874	1806	-\$180.00	\$27,491.00
07/20 25 09109038	684.2689	1206	-\$108.00	\$27,599.00
07/20 528 78673686	618.39	7001	\$325.00	\$27,274.00
07/20 1517 78674184	1205.309	7001	\$975.00	\$26,299.00
07/20 1649 76503077	946.10494 (946.2101)	7004	\$150.00	\$26,149.00
07/21 7 10307945	00684.003416	1463	-\$70.00	\$26,219.00
07/21 9 10307945	00684.003416	1202	\$70.00	\$26,149.00
07/21 11 10307945	00684.003416	1464	\$130.00	\$26,019.00
07/21 109 29216291	00946.006045	8021	\$40.00	\$25,979.00
07/21 319 74503212	NOT IN DRUG SYSTEM	8521	\$40.00	\$25,939.00
07/21 320 74503210	Spanish	8522	\$25.00	\$25,914.00
07/21 321 76423203	peaks	8522	\$25.00	\$25,889.00
07/21 322 76423202		8522	\$25.00	\$25,864.00
07/21 323 76423204	Beverage	8522	\$25.00	\$25,839.00
07/21 324 1993000		8522	\$25.00	\$25,814.00
07/21 325 1992999		8522	\$25.00	\$25,789.00
07/21 326 1825942		8522	\$25.00	\$25,764.00
07/21 391 76491529	946.10079A (946.2101)	7004	\$450.00	\$25,314.00
07/22 3 10517529	03500.017331	9204	-\$100.00	\$25,414.00
07/22 39 10650548	03650.002189	1201	\$200.00	\$25,214.00
07/22 108 10659324	02833.4001LO.	9204	-\$60.00	\$25,274.00
07/22 145 2347695	01938.008057	7205	\$100.00	\$25,174.00
07/22 146 2347695	01938.008057	7208	\$200.00	\$24,974.00
07/22 228 11185757	03500.0152384.1	1202	\$600.00	\$24,374.00
07/22 881 2348277	01938.008257	7205	\$100.00	\$24,274.00
07/22 882 2348277	01938.008257	7208	\$200.00	\$24,074.00
07/22 899 2340355	01938.008256	7205	\$100.00	\$23,974.00
07/22 900 2340355	01938.008256	7208	\$200.00	\$23,774.00
07/22 922 2346133	01938.008264	7205	\$100.00	\$23,674.00
07/22 923 2346133	01938.008264	7208	\$200.00	\$23,474.00
07/22 1028 1967490	01938.008157	7205	\$100.00	\$23,374.00
07/22 1029 1967490	01938.008157	7201	\$400.00	\$22,974.00
07/22 1227 78676086	03322.000007.	7001	\$325.00	\$22,649.00
07/25 1 09405176	35.C13853	2251	\$60.00	\$22,589.00
07/25 16 10522226	03500.017686	9204	-\$100.00	\$22,689.00
07/25 32 11165206	03500.017357.1	9204	-\$50.00	\$22,739.00
07/25 43 10523603	00005.001205.1	9204	-\$500.00	\$23,239.00
07/25 44 10523603	" "	1642	\$400.00	\$22,839.00
07/25 456 6582236	03287.002000	8021	\$40.00	\$22,799.00
07/26 8 09322177	35.G1549-CI	1464	\$130.00	\$22,669.00

3227
0014002860
00/0000